

REMARKS

Claims 1-13 are pending in this application. By this Amendment, 1 and 4,-7 are amended. No new matter is introduced.

Applicants appreciate the courtesy extended by Examiner Lohn to Applicants' representative, Mr. Paul Tsou, during the July 28 telephone interview. During the interview, it was explained to Examiner Lohn that during the April 18 personal interview with the prior Examiner (Examiner Gentry, who had since left the Patent Office) that Tanimoto continued a "process" when an error occurred in a processing unit by sending the process to another unit for completing the process. Unfortunately, Examiner Gentry did not inform Applicants' representative upon changing his disposition from that indicated in the April 18 Interview Summary so that Applicants are provided an opportunity to file a Supplemental Amendment to clarify any difficulties Examiner Gentry may have had. Instead, Examiner Gentry issued the final rejection without performing the additional search that should have been performed based on Examiner Gentry's changed position.

In view of the above, Applicants respectfully request that Examiner Lohn reconsider the finality of the current rejection. The July 28 telephone conference was very helpful and led to the claim amendments indicated above for further clarity in view of Examiner Gentry's new position. We believe that such amendments would have been made had Examiner Gentry indicated the change position. Moreover, the new rejection over Kadota discussed below was not necessitated by applicants' claim amendment because none of the claims had been amended. MPEP §706.07(a). Accordingly, Applicants respectfully request reconsideration of the finality of this Office Action.

The Office Action rejects claims 1-10 and 12 under 35 U.S.C. §102(e) over Tanimoto (U.S. Patent No. 6,885,469). This rejection is respectfully traversed.

As noted in the April 19 Request for Reconsideration and repeated here, Tanimoto was not directed to continuing a process of a device. Rather, when Tanimoto encountered an error in a device, another external device made decisions to disable portions of the device in which the errors occurred and thus necessarily discontinued the process performed by the disabled device. On page 8, the final rejection states "after Tanimoto was further perused, however, it was found that Tanimoto does disclose this feature when the claims are given the broadest interpretation." However, it was made clear during the April 18 personal interview and the April 19 Request for Reconsideration that the scope of the claims was directed to continuing a process in a device when the error occurred in that device and not continuing to process in another device as taught by Tanimoto. Thus, while the Examiner may not have read the claims in the light of the specification, as required, nor under the clearly expressed scope of the claims during the April 18 personal interview and the April 19 Request for Reconsideration, the subject matter disclosed in Tanimoto does not disclose or suggest the subject matter recited in claims 1, 4 and 7. To make this abundantly clear, claims 1, 4 and 7 are now amended to recite performing processes using one or more identified processing units . . . that continues, if an error occurs in processing a page of the document data . . . , the processes without resetting the processing unit. In view of the above amendments, Tanimoto does not disclose or suggest the subject matter recited in claims 1, 4 and 7.

While not explicitly applied, the Office Action at the bottom of page 8 implicitly rejects claims 1, 4 and 7 over a new reference, Kadota, et al. (U. S. Patent No. 6,388,760) citing col. 4, lines 29-43. This newly cited art was not caused by any amendments by the Applicants.

In Kadota, when an error occurs in a printer such as a paper jam, the printer is first reset and then if print overrun occurs, the printer skips the page causing the error and begins receiving data from the top of the next page. (See C10/L42-52). However, Kadota does not

continue the process in the printer after an error occurs, but the processes are stopped by first resetting the printer and then restarting the printer to print the next page. In response to Kadota, claims 1, 4 and 7 are amended to recite "continues . . . the processes without resetting the processing unit." Thus, Kadota, even if applied, would not have disclosed or suggested the subject matter recited in claims 1, 4 and 7. In view of the above, Tanimoto does not disclose or suggest the subject matter recited in claims 1, 4 and 7. Claims 2, 3, 5, 6, 7-10 and 12 ultimately depend from claims 1, 4 and 7. Thus, Tanimoto does not disclose or suggest the subject matter recited in claims 1-10 and 12. Withdrawal of the rejection of claims 1-10 and 12 under 35 U.S.C. §102(e) is respectfully solicited.

The Office Action rejects claim 11 under 35 U.S.C. §103 over Tanimoto in view of Scheuneman (U.S. Patent No. 4,697,233), and claim 13 under 35 U.S.C. §103 over Tanimoto in view of Takeda (U.S. Patent No. 6,297,117). These rejections are respectfully traversed.

As noted in our April 19, 2006 Request for Reconsideration, Scheuneman and Takeda did not disclose the subject matter missing from Tanimoto. Thus, Tanimoto, Scheuneman and Takeda individually or in combination would not have rendered obvious the subject matter recited in claims 1, 4 and 7, and thus would not have rendered obvious the subject matter recited in claims 11 and 13. Withdrawal of the rejection of claims 11 and 13 under 35 U.S.C. §103 is respectfully solicited.

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-13 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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